

Cheshire West & Chester Council

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Date: 31st January 2023

Dear Cllr Ryder

Soot Hill Landslip

Thank you for your letter of 24th January 2023, sent on behalf of your Parish Council and a number of other local Parishes.

I recognise the deep frustration that the landslip at Soot Hill has created for local residents, and we share those frustrations. I want to assure you that council officers and specialist engineers, and our partners, have worked effectively under uniquely difficult circumstances to expedite the recovery as much as possible. We have also taken steps to make the progress being made, and the significant obstacles we have faced, as transparent as possible on a dedicated website page:

<https://www.cheshirewestandchester.gov.uk/residents/transport-and-roads/highways/major-road-schemes/land-slip-at-soot-hill-northwich>.

I hope this website has allowed you and all interested parties to keep in close touch with developments on site, and to appreciate the many engineering challenges we face. If there is any other information you would find it useful to see regularly, do let us know.

While some of the work is not immediately apparent on site, significant progress is being made. We have today published papers for our Cabinet meeting on 8th February 2023, which represents a further important step forward. I hope you find the additional information provided in that paper useful.

This is a complex engineering scheme, which required a significant amount of coordination with a number of different stakeholders and utilities. The collapsed wall damaged an adjacent building and undermined the support to Scottish Power & BT cables, all of which



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needed to be made safe before a full site inspection could even take place. As you'll appreciate, the safety of our staff, our contractors and the public is paramount.

This project is now costed at around £3.5 million, for which we will receive no external financial support. It is a sign of the council's recognition of the importance of the project to the local community that we have prioritised the Soot Hill project at the expense of many other demands on our scarce highways budget, including pot hole repairs. Because of its scale, as well as the agreement of Cabinet, financial provision for this project needs to be approved as part of our overall Budget for 2023 and beyond, being considered by our Full Council on 16th February.

You asked some other specific questions in your letter:

What was the tendering process (including criteria for tender evaluation) before the contract was awarded to Balfor Beatty?

The contract was awarded via the nationally accredited SCAPE framework: [Public Sector Construction Frameworks | SCAPE](#). Frameworks allow councils to identify partners from a range of pre-approved contractors. Using the SCAPE framework, rather than starting from first principles with a bespoke tendering process, has saved time and resource.

Did this process conform with the requirements of the Chest portal and the OJEU price cap?

The process for selection of our preferred partner conforms to public contract regulations 2015, which is the relevant regulatory standard for this form of public procurement.

How many other contractors were considered for the work before appointing Balfour Beatty?

All the recognised civil engineering contractors are represented on the SCAPE framework, enabling the full range of potential contractors to be considered, without the delay and expense created through a bespoke tendering process.

What due diligence did CWAC undertake before awarding the contract?

As we are using a compliant framework, assurances are provided through the SCAPE process.

What measures of success, including outcomes, costings, payments schedules, timescales and penalties for non delivery have been written into the contract? What limits for overall costs and project milestones and end date are included in the contract?

A contract for the construction works is still to be finally completed, pending financial approvals at our Budget Council on the 16th February. Contract terms will be agreed which incentivise the high quality and timely delivery of the project.

Who, Within CWAC, is accountable for managing the delivery of the contract?

Our current Project Manager is a Team Leader (Structures). An external NEC4 Project Manager will be appointed, reporting to the Head of Highways who in turn reports to the Director of Transport and Highways.

What actions have been taken regarding the slippage of dates which have already occurred?

Any delay has been as a result of the need to follow process, secure the financing for this significant unplanned engineering scheme, and deal with unforeseen issues such as contaminated land. All information relating to this is available on our website.

What is the realistic completion date for the whole project?

The current programme shows a completion date of 30th December 2023. This allows for a value engineering exercise, to review and sign contracts, mobilisation by the contractor (3 weeks), and a construction start date of 21st March 2023. There is a substantial amount of work to complete during the construction phase, and although our new Project Manager will challenge Balfour Beatty on this programme, we need to ensure that we complete a right first-time quality repair, that stands the test of time; not something we need to return and repair again in a few years' time.

What is the value of the Balfour Beatty Contract?

The current value of the contract is £3 million.

What is the latest estimate of the total cost of the project?

The latest estimate for the total value of the repair is £3.5 million.

What provision has been made in the highways budget to recognise the consequential additional costs of increased traffic along the diversion routes both official and unofficial?

The impact on the highway affected by diversions will be reviewed under the Council's Highways Asset Management policy, which will respond to any unplanned deterioration of the highway. Any repairs that meet the council's criteria for intervention will be prioritised accordingly.

What reassurance can you give us that public funds are being cost effectively used?

The use of a national framework ensures that works are competitively priced and in line with the market. Officers also intend on undertaking a value engineering exercise with the contractor in the next few weeks, to review the design and identify the scope for further cost reduction, without impacting on the successful delivery of the project.

Yours sincerely

Andrew Lewis, Chief Executive